

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

FEDERATED AMERICAN LEADERS FUND, INC.;
FEDERATED AMERICAN LEADERS FUND II;
FEDERATED STOCK TRUST; FEDERATED TOTAL
RETURN BOND FUND (Successor in interest to
Federated Managed Income Portfolio); FEDERATED
CAPITAL APPRECIATION FUND II; FEDERATED
MID CAP GROWTH STRATEGIES FUND;
FEDERATED MID CAP GROWTH STRATEGIES
FUND II; FEDERATED LARGE CAP GROWTH
FUND; FEDERATED BOND FUND; FEDERATED
CAPITAL APPRECIATION FUND; FEDERATED
INTERMEDIATE CORPORATE BOND FUND; and
FEDERATED QUALITY BOND FUND II,

MDL Docket No.: 02-01335-PB
Docket No.: 08-CV-01337-PB

Plaintiffs,

v.

TYCO INTERNATIONAL LTD.; TYCO
ELECTRONICS LTD.; COVIDIEN LTD.;
COVIDIEN (U.S.); L. DENNIS KOZLOWSKI;
MARK H. SWARTZ; and FRANK E. WALSH, JR.,

Defendants.

**AGREED ORDER AND FINAL JUDGMENT OF DISMISSAL
AGAINST DEFENDANT MARK H. SWARTZ**

Plaintiffs Federated American Leaders Fund, Inc., Federated Clover Value Fund II (formerly named Federated American Leaders Fund II), Federated Stock Trust, Federated Total Return Bond Fund (successor in interest to Federated Managed Income Portfolio), Federated Capital Appreciation Fund II, Federated Mid Cap Growth Strategies Fund, Federated Mid Cap Growth Strategies Fund II, Federated Large Cap Growth Fund, Federated Bond Fund, Federated Capital Appreciation Fund, Federated Intermediate Corporate Bond Fund, and Federated Quality Bond Fund II (“Plaintiffs”) and Defendant Mark H. Swartz. (each of them a “Settling Party” and collectively, the “Settling Parties”) having represented to the Court that they have entered into a

settlement agreement that resolves all issues between and among them in the Complaint, and for good cause shown, the Court ORDERS:

1. Because there is no just reason for the delaying the entry of a final judgment with respect to the claims asserted by Plaintiffs against the Settling Parties, all claims asserted by Plaintiffs against Swartz in the Complaint are DISMISSED WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 54(b).

2. The Clerk is directed to enter this Agreed Order and Final Judgment of Dismissal against Defendant Mark H. Swartz as a final judgment and send a copy of same to all counsel of record.

IT IS SO ORDERED.

Enter: / /2009

The Hon. Paul Barbadoro
United States District Judge

We ask for this:

/s/ Michael L. Grudberg
Michael J. Grudberg
STILLMAN FRIEDMAN & SHECHTMAN, P.C.
425 Park Avenue
New York, NY 10022

Counsel for Mark H. Swartz

/s/ Thomas M. Skelton
Peter D. St. Phillip, Jr., Esq.
Thomas M. Skelton, Esq.
Barbara J. Hart, Esq.
Todd S. Garber, Esq.
LOWEY DANNENBERG COHEN & HART, P.C.
White Plains Plaza
One North Broadway, Suite 509
White Plains, NY 10601

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that copies of the foregoing were served this date on the attached Service List through ECF or by mail for those on the list who do not have an ECF Registration.

/s/ Thomas Skelton
Thomas Skelton

SERVICE LIST

Vicki K. Andreadis	andreadi@hugheshubbard.com
Fred H. Bartlit, Jr.	catherine.mcpherson@bartlit-beck.com
Anne E. Beaumont	abeaumont@fklaw.com
Biron L. Bedard	blb@cooknmolan.com, jen@cooknmolan.com
Gregory A. Blue	gblue@mjbllc.com, rmarcoccia@mjbllc.com
Kenneth G. Bouchard	kbouchard@bestnholaw.com, info@bestnholaw.com , pcreveling@bestnholaw.com
Shari A. Brandt	sbrandt@rkollp.com
Peter G. Callaghan	pcallaghan@preti.com, nhdcfilings@preti.com
William L. Chapman	wlc@orr-reno.com, federalcourt@orr-reno.com , mmcfall@orr-reno.com
Kamilla A. Chaudhery	kchaudhery@stroock.com
John P. Coffey	sean@blbglaw.com
Matthew M. D'Amore	mdamore@mofo.com
Jonathan W. Davenport	jdavenport@bsflpp.com
Karin A. DeMasi	kdemasi@cravath.com
Timothy J. Dennin	secatty@denninlaw.com
Danielle Disporto	ddisporto@wolfpopper.com
Sanford P. Dumain	sdumain@milbergweiss.com
Jennifer A. Eber	jaeber@orr-reno.com, federalcourt@orr-reno.com, mmcfall@orr-reno.com
Elizabeth F. Edwards	eedwards@mcguirewoods.com
Robert C. Finkel	rfinkel@wolfpopper.com
Eric B. Fisher	efisher@mjbllc.com

Paul J. Fishman	pfishman@fklaw.com
Andrew J. Frackman	afrackman@omm.com
Bryan A. Fratkin	bfratkin@mcguirewoods.com
Derrick R. Freijomil	dfreijomil@riker.com
Alan Friedman	afriedman@kramerlevin.com
Lawrence B. Friedman	lfriedman@cgsh.com
Brian J. Gallagher	bgallagher@cooley.com
Paul J. Geller	pgeller@csgrr.com , e_file_fl@csgrr.com
Lisa Swedenborg Getson	lgetson@fklaw.com
Max Gitter	vlashay@cgsh.com , maofiling@cgsh.com
Karma M. Julianelli	karma.giulianelli@bartlit-beck.com
David B. Gordon	dgordon@schoeman.com
Laurence Greenwald	lgreenwald@stroock.com
Michael J. Goldberg	mgrudberg@stillmanfriedman.com
Edward A. Haffer	ehaffer@sheehan.com , dhemeon@sheehan.com , ecote@sheehan.com , jvankalken@sheehan.com
Jeffrey A. Hall	jeffrey.hall@bartlit-beck.com
John F. Harnes	jfharnes@chitwoodlaw.com
William T. Hassler	whassler@steptoe.com
Christian M. Hoffman	choffman@foleyhoag.com
Darren T. Kaplan	dkaplan@chitwoodlaw.com
Jay B. Kasner	jkasner@skadden.com
Beth L. Kaufman	bkaufman@schoeman.com , jspin@schoeman.com
Gregory E. Keller	gkeller@chitwoodlaw.com

Mary Kathryn King	kking@chitwoodlaw.com
Douglas I. Koff	douglas.koff@cwt.com, amanda.kosowsky@cwt.com , benjamin.kraus@cwt.com, cynthia.ballard@cwt.com, jessica.lively@cwt.com, nathan.bull@cwt.com
Marc Bradley Kramer	marcbkramer@cs.com
Marilyn C. Kunstler	mkunstler@bsflp.com
Jordana E. Lambert	jlambert@cgsh.com
Joseph B. Landau	jlandau@cgsh.com
Jill Asch Levenson	jlevenson@chitwoodlaw.com
Barry Wm. Levine	levineb@dicksteinshapiro.com
Sidney S. Liebesman	sliebesman@gelaw.com, jbanko@gelaw.com
Russell L. Lippman	rlippman@dpw.com
Daniel P. Luker	nhdcfilings@preti.com
Natalie M. Mackiel	nmackiel@wolfpopper.com
Mark L. Mallory	mark@malloryandfriedman.com
Rachel K. Marcoccia	rmarcoccia@mfbnyc.com, kdruhm@mfbnyc.com
Gregory A. Markel	greg.markel@cwt.com
Anne B. McCray	amccray@mcguirewoods.com
Richard B. McNamara	rmcnamara@wiggin-nourie.com, kcarte@wiggin-nourie.com
Christopher S. Milito	cmilito@schoeman.com, jspin@schoeman.com
Paul W. Mollica	pwmollica@mmblaw.com
Peter D. Morgenstern	pmorgenstern@mjbllc.com
Michael R. Mulder	mmulder@mmblaw.com
Robert E. Murphy, Jr.	rmurphy@wadleighlaw.com

Blair A. Nicholas	blairn@blbglaw.com
Michael P. O'Mullan	momullan@riker.com
Michele L. Pahmer	mpahmer@stroock.com
Michael Peacock	mpeacock@chitwoodlaw.com
John S. Phillips	john.phillips@bartlit-beck.com
Jack Reise	jreise@csgrr.com, e_file_fl@csgrr.com
Carolyn Barth Renzin	crenzin@stillmanfriedman.com
Matthew M. Riccardi	mriccardi@rkollp.com, mschneider@rkollp.com
Deborah Goldstock Ringel	ringeld@dicksteinshapiro.com
Arnold Rosenblatt	a.rosenblatt@clrm.com, d.lessard@clrm.com, l.roy@clrm.com , 1.stoodley@clrm.com
Jeremy S. Rosof	jrosof@stroock.com
Stephanie A. Scharf	sscharf@schoeman.com, jspin@schoeman.com
Miranda Schiller	miranda.schiller@weil.com
Marc Frazier Scholl	schollm@dany.nyc.gov
Lara Shalov	lshalov@stillmanfriedman.com
David W. Shapiro	dshapiro@bsfllp.com, cduong@bsfllp.com, cseki@bsfllp.com , jchavez@bsfllp.com, jgoldman@bsfllp.com, jmallari@bsfllp.com , jvo@bsfllp.com, mkunstler@bsfllp.com
Jerri E. Shick	jshick@omm.com
Matthew P. Siben	matthews@blbglaw.com
Edward F. Siegel	efsiegel@efs-law.com
Laurie Smilan	laurie.smilan@lw.com, #DCLitigationServices@lw.com , christian.lidyard@lw.com, derrick.farrell@lw.com , maggy.sullivan@lw.com, matthew.gimovsky@lw.com

Leigh Smith lsmith@milberg.com

Steven S. Sparling ssparling@kramerlevin.com

Carl L. Stine cstine@wolfpopper.com

David S. Stone dstone@bsflp.com

TYCO - Notice Only Attorneys jshick@omm.com, dgeorge@lerachlaw.com, jbonner@lawssb.com, jgoldman@bsflp.com, paul.dawes@lw.com, procco@lawssb.com, pwmollica@mmbmlaw.com, smadsen@cravath.com

TYCO - Notice Only Attorneys 2 ashley.altschuler@weil.com, jcagan@sbcclasslaw.com, kryan@sbcclasslaw.com, myarnoff@sbcclasslaw.com, secatty@denninlaw.com, virginia.johnson@weil.com, william.gordon@weil.com

Emma Terrell eterrell@cooley.com

David A. Thorpe davidt@blbglaw.com

James E. Townsend jetnhalaw@verizon.net, cave@hugheshubbard.com

Charles B. Updike cupdike@schoeman.com, jspin@schoeman.com

David A. Vicinanzo dvicinanzo@nixonpeabody.com, man.managing.clerk@nixonpeabody.com

Howard L. Vickery hvickery@bsflp.com

James Q. Walker jwalker@rkollp.com

Lawrence Walner walner@walnerclassaction.com

Irwin H. Warren irwin.warren@weil.com

Andrew Weaver aweaver@cgsh.com

Melvyn I. Weiss mweiss@milbergweiss.com

Anne Marie Whittemore awhittemore@mcguirewoods.com

James M. Wilson, Jr. JWilson@chitwoodlaw.com

Jon F. Worm jonw@blbglaw.com

Notice will be delivered conventionally to:

Jeffrey N. Luthi
Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
Room G-255, North Lobby
One Columbus Circle, NE
Washington, DC 20002-8004

Steven E. Fineman
Daniel P. Chiplock
Michael Miarmi
Lieff Cabraser Heimann & Bernstein,
LLP 780 Third Avenue, 48th Floor
New York, NY 10017-2024

Robert N. Kaplan
Frederic S. Fox
Laurence D. King
Joel B. Strauss
Hae Sung Nam
Donald R. Hall
Kaplan Fox & Kilsheimer LLP
Special Assistant Attorney Generals
State of Michigan
850 Third Avenue, 14th Floor
New York, NY 10022

Robert N. Shwartz
Jyotin Hamid
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022-3904

Michael S. Flynn
Davis Polk & Wardwell
450 Lexington Avenue
New York, NY 10017

William R. Maguire
Sarah Loomis Cave
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, NY 10004-1482